



OFFICIAL

FOLEY & LARDNER LLP  
ATTORNEYS AT LAW

JUN 23 2004

11250 EL CAMINO REAL, SUITE 200  
SAN DIEGO, CA 92130  
P.O. BOX 80278  
SAN DIEGO, CA 92138-0278  
TELEPHONE: 858.847.6700  
FACSIMILE: 858.792.6773  
WWW.FOLEY.COM

FACSIMILE TRANSMISSION

Total # of Pages 19 (including this page)

TO:	PHONE #:	FAX #:
Examiner Michael G. Hartley - Art Unit 1616 Commissioner for Patents	(703) 308-4411	(703) 872-9306

From : Stephen E. Reiter *SR*  
 Email Address : sreiter@foley.com  
 Sender's Direct Dial : 858.847.6711  
 Date : June 23, 2004  
 Client/Matter No : 071243-1301  
 User ID No : 1877

MESSAGE:

Re: Application Serial No. 09/446,783

Following are copies of:

- Supplemental Communication (2 pgs.);
- Supplemental Declaration and Power of Attorney (4 docs. 16 pgs.)

If there are any problems with this transmission or if you have not received all of the pages, please call 858.847.6700.

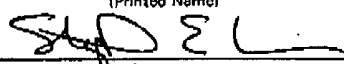
Operator:	Time Sent:	Return Original To: Mercedes F. "Ched" Dipasupil
-----------	------------	---

CONFIDENTIALITY NOTICE: THE INFORMATION CONTAINED IN THIS FACSIMILE MESSAGE IS INTENDED ONLY FOR THE PERSONAL AND CONFIDENTIAL USE OF THE DESIGNATED RECIPIENTS NAMED ABOVE. THIS MESSAGE MAY BE AN ATTORNEY-CLIENT COMMUNICATION, AND AS SUCH IS PRIVILEGED AND CONFIDENTIAL. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT OR ANY AGENT RESPONSIBLE FOR DELIVERING IT TO THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT YOU HAVE RECEIVED THIS DOCUMENT IN ERROR, AND THAT ANY REVIEW, DISSEMINATION, DISTRIBUTION OR COPYING OF THIS MESSAGE IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE NOTIFY US IMMEDIATELY BY TELEPHONE AND RETURN THE ORIGINAL MESSAGE TO US BY MAIL. THANK YOU.

Atty. Dkt. No. VPHAR1460-2  
(ABI1460-2) (071243-1301)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Desai et al.  
Title: NOVEL FORMULATIONS OF  
PHARMACOLOGICAL AGENTS,  
METHODS FOR THE  
PREPARATION THEREOF AND  
METHODS FOR THE USE  
THEREOF  
Appl. No.: 09/446,783  
Appl. Filing Date: 05/16/2000  
Examiner: Michael G. Hartley  
Art Unit: 1616

<b>CERTIFICATE OF FACSIMILE TRANSMISSION</b>
I hereby certify that this paper is being facsimile transmitted to the United States Patent and Trademark Office, Washington, D.C. on the date below.
<i>Stephen E. Reiter</i>
(Printed Name)

(Signature)
<i>June 23, 2004</i>
(Date of Deposit)

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**SUPPLEMENTAL COMMUNICATION**

Sir:

Supplemental to the Amendment filed on November 3, 2003, which was responsive to the Office Action mailed July 1, 2003, please consider the following remarks.

**REMARKS**


This Supplemental Communication is submitted to forward the executed Supplemental Oath and Declaration, an unsigned copy of which was submitted with the Amendment faxed on November 3, 2003.

Atty. Dkt. No. VPHAR1460-2  
(ABI1460-2) (071243-1301)

In the event any issues remain to be resolved in view of this communication, the Examiner is invited to contact the undersigned at the telephone number given below so that a prompt disposition of this application can be achieved.

Respectfully submitted,

Date: June 23, 2004

By 

FOLEY & LARDNER LLP  
**Customer Number: 30542**  
Telephone: (858) 847-6711  
Facsimile: (858) 792-6773

Stephen E. Reiter  
Attorney for Applicant  
Registration No. 31,192

Enclosure: Executed Declaration and Power of Attorney (4 documents)